

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

MISC.CIVIL APPLICATION NO.112 OF 2021

**MONA VAIBHAV PANSAMBAL
VERSUS
VAIBHAV LAV PANSAMBAL**

. . .

Advocate for Applicant : Mr. Sanjay A. Wakure
Advocate for Respondent sole : Mr. Parag V. Barde

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CORAM : MANGESH S. PATIL, J.

DATED : 15 JULY 2022

PER COURT :

The applicant – wife is seeking transfer of divorce proceeding initiated by the respondent – husband from Aurangabad to Osmanabad where she has already initiated apart from a divorce proceeding a proceeding under section 125 of the Code of Criminal Procedure, a proceeding under the provisions of Protection of Women from Domestic Violence Act, 2005 and a criminal case under section 498A of the Indian Penal Code.

2. Going by the trend of the decisions from time to time rendered by the Supreme Court, convenience of the wife is the paramount consideration. Obviously a care will have to be taken to obviate any possible hardship to even the respondent – husband. There are no special reasons to refuse to deviate from such procedure.

3. By taking necessary care to obviate any possible hardship to the respondent and more particularly when even a divorce proceeding initiated by the applicant is going on at Osmanabad, which may have to be decided along with the divorce petition preferred by the respondent, which is now being sought to be transferred, it would be appropriate that the divorce proceeding is transferred from Aurangabad to Osmanabad as prayed for.

4. The application is allowed in terms of prayer clause (B).

5. All the courts taking up different matters between the parties at Osmanabad including the matter that is being transferred shall, as far as possible, list all these matters on the same date.

6. Parties shall appear before the Family Court at Osmanabad on 30.07.2022.

(MANGESH S. PATIL, J.)